

**Listing of Claims:**

1. (Currently amended) An isolated polynucleotide with the function of a promoter, comprising a first nucleic acid, wherein said first nucleic acid has a nucleotide sequence that is:

(a) at least ~~90%~~ 95% identical to a reference nucleotide sequence set forth in SEQ ID NO:7; or

(b) identical to a reference nucleotide sequence set forth in SEQ ID NO:7.

2. (Original) The polynucleotide of claim 1, wherein said polynucleotide regulates transcription of  $\beta$ -galactosidase in a bacterial host cell.

3. (Canceled).

4. (Currently amended) The polynucleotide of claim 1, further comprising a second nucleic acid operably associated with said first nucleic acid and regulated by said first nucleic acid.

5. (Original) The polynucleotide of claim 4, wherein said second nucleic acid encodes a polypeptide.

6. (Original) The polynucleotide of claim 5, wherein said polypeptide is selected from the group consisting of: (a) a polypeptide, which is a component of an amino acid biosynthesis pathway; (b) a polypeptide, which is a component of a purine nucleotide biosynthesis pathway; and (c) a heterologous polypeptide.

7. (Original) The polynucleotide of claim 6, wherein said polypeptide is a component of an amino acid biosynthesis pathway.

8. (Original) The polynucleotide of claim 7 wherein said amino acid biosynthesis pathway is a lysine biosynthesis pathway.

9. (Original) The polynucleotide of claim 7, wherein said polypeptide is selected from the group consisting of: (a) aspartokinase, (b) diaminopimelate dehydrogenase, (c) diaminopimelate decarboxylase, (d) dihydrodipicolinate synthetase, (e) dihydrodipicolinate reductase, (f) aspartate beta-semialdehyde dehydrogenase, and (g) pyruvate carboxylase.

10. (Original) A method of producing a vector which comprises inserting the polynucleotide of claim 1 into a vector.

11. (Original) A vector comprising the polynucleotide of claim 1.

12. (Original) A vector comprising the polynucleotide of claim 4.

13. (Original) A vector comprising the polynucleotide of claim 6.

14. (Original) A host cell comprising the vector of claim 11.

15. (Original) The host cell of claim 14, wherein said host cell is a *Corynebacterium* species.

16. (Original) A host cell comprising the vector of claim 12.

17. (Original) A host cell comprising the vector of claim 13.

18. (Original) A method of producing a transformed *Corynebacterium* species host cell comprising: (a) introducing into *Corynebacterium* species cells the vector of claim 17, and (b) selecting said host cell.

19. (Original) A method of production of a biosynthetic product, comprising culturing the host cell of claim 18 in or on a culture medium, and recovering said product.

20. (Previously presented) An isolated polynucleotide comprising a nucleic acid which hybridizes to a reference nucleic acid, or the complement thereof, under stringent hybridization conditions, wherein the sequence of said reference nucleic acid is set forth in SEQ ID NO: 7, and wherein said nucleic acid is at least 30 nucleotides in length.

21. (Original) The polynucleotide of claim 20, wherein said polynucleotide regulates transcription of  $\beta$ -galactosidase in a bacterial host cell.

22-24. (Canceled).

25. (Currently amended) An isolated polynucleotide comprising a first nucleic acid wherein the sequence of said first nucleic acid comprises at least 50 contiguous nucleotides of SEQ ID NO:7.

26. (Currently amended) The polynucleotide of claim 25, wherein the sequence of said first nucleic acid comprises 150 contiguous nucleotides of SEQ ID NO:7.

27. (Currently amended) The polynucleotide of claim 25, further comprising a second nucleic acid operably associated with said first nucleic acid and regulated by said first nucleic acid.

28. (Original) The polynucleotide of claim 27, wherein said second nucleic acid encodes a polypeptide.

29. (Original) The polynucleotide of claim 28, wherein said polypeptide is selected from the group consisting of: (a) a polypeptide which is a component of an amino acid biosynthesis pathway; (b) a polypeptide which is a component of a purine nucleotide biosynthesis pathway; and (c) a heterologous polypeptide.

30. (Original) The polynucleotide of claim 29, wherein said polypeptide is a component of an amino acid biosynthesis pathway.

31. (Previously presented) A method of producing a vector which comprises inserting the polynucleotide of claim 25 into a vector.

32. (Previously presented) A vector comprising the polynucleotide of claim 25.

33. (Original) A vector comprising the polynucleotide of claim 27.

34. (Original) A host cell comprising the vector of claim 32.
35. (Original) The host cell of claim 34, wherein said host cell is a *Corynebacterium* species.
36. (Original) A host cell comprising the vector of claim 33.
37. (Original) A method of producing a transformed *Corynebacterium* species host cell comprising: (a) introducing into *Corynebacterium* species cells the vector of claim 33, and (b) selecting said host cell.
38. (Original) A method of production of a biosynthetic product, comprising culturing the host cell of claim 36 in or on a culture medium, and recovering said product.
- 39-73. (Canceled).